

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SCOUT.COM, LLC and SCOUT
PUBLISHING, LLC,

Petitioners,

v.

BUCKNUTS, LLC, *et al.*,

Respondents.

CASE NO. C07-1444 RSM

ORDER GRANTING PETITIONER'S
MOTION FOR CLARIFICATION

This matter comes before the Court on petitioners' Motion for Clarification and/or Reconsideration Re: Order Granting Respondents' Motion to Dismiss. (Dkt. #37). Petitioner requests clarification concerning whether this Court's Order granting Respondent's Motion to Dismiss (Dkt. #36) was "with" or "without prejudice." Specifically, petitioner contends that if this Court's Order was "without prejudice," it should follow that petitioner is not precluded from seeking an order compelling respondent Trojan Sports Publishing, LLC ("Trojan Sports") to arbitrate with Judicial Dispute Resolution ("JDR").¹

Having reviewed petitioner's motion, and the remainder of the record, the Court hereby finds and ORDERS:

(1) Petitioner's Motion for Clarification (Dkt. #37) is GRANTED. This Court's Order did not expressly grant respondents' motion to dismiss "with prejudice." Further, the

¹ Trojan Sports was added as a respondent in petitioner's amended petition on October 12, 2007.

1 Order concluded that it could not compel respondents to proceed with their claims
2 individually in arbitration. The Court found that the language of the agreements at-issue
3 between the parties was sufficiently ambiguous to defer the question to the arbitrator.
4 Consequently, whether petitioner is precluded from seeking an order to compel Trojan Sports
5 to arbitrate with JDR was not within the scope of this Court's Order.

6 (2) The Clerk is directed to forward a copy of this Order to all counsel of record.
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8 DATED this 18 day of December, 2007.

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10 RICARDO S. MARTINEZ
11 UNITED STATES DISTRICT JUDGE
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